

Minnesota House of Representatives

P85: 78/2

SESSION

February, 1978

Looking in
on Legislation

①A Logistatus
①B House of Representatives
①C House Information of

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for your information

... as we look in
on legislation

A BILL FOR AN ACT

Historically a bill is any document that calls for action.



A bill is an idea for a new law, or an idea to abolish or change an existing law.

Several thousand bills, ideas about many things enter the legislative process in Minnesota each time the legislature meets.

Minnesota has a bicameral legislature, or two groups of elected citizens — Senators in the Senate — Representatives in the House of Representatives — who study, discuss, and vote on bills; acting for the people of Minnesota.

Bills begin their legislative journey in either the House or the Senate, but to become a law, all bills must pass both the House and Senate and go to the governor for his approval and signature.

The Idea

Anyone can propose an idea for a bill — an individual, a consumer group, corporation, professional association, a governmental unit, the governor — but most frequently ideas come from members of the legislature.

Revisor of Statutes

The revisor puts the idea into the proper legal form as a bill for introduction into the House of Representatives or the Senate, usually both. The revisor also updates Minnesota Statutes to include all new laws.



Computerized files
Revisor's Office

Chief Author

Each bill must have a legislator to sponsor it and introduce the bill in the legislature. That legislator may be the chief author, or may find another member to author the bill and make the introduction. The chief author's name appears on the bill with the bill's file number to identify it as it moves through the legislative process.

Other Authors

The chief author of a bill, under legislative rules, may select other authors, but no more than a total of five in the House and three in the Senate. These authors' names also appear on the bill.

Introduction in the House of Representatives and the Senate

When the author introduces the bill in the House of Representatives, it gets a House File number (H.F. 2642, for example), indicating the chronological order of the bill's introduction in the House. The Senate gives it a Senate File number (S.F. 224, for example), indicating the bill's chronological order of introduction in that body.

Committee Consideration

Next the bill has its first reading (the Minnesota Constitution requires three readings for all bills — on three separate days), and the presiding officer of the House or Senate refers it to an appropriate standing committee for committee action. All committee meetings are open to the public. A committee may —

- recommend passage of a bill in its original form.
- recommend passage after amendment by the committee.
- make no recommendation, in which case a bill may die when the session ends.

After acting on a bill, the committee sends a report to the House or Senate, stating its actions and recommendations.

General Orders

After adoption of the committee report in the House and Senate, the bill has its second reading and goes onto General Orders of the Day. In Committee of the Whole legislators discuss bills on General Orders. They may debate the issues, adopt amendments, present arguments on bills, and they may vote to—

- recommend that a bill "do pass."
- recommend postponement.
- recommend further committee action.

Calendar

The calendar is a list of bills the Committee of the Whole recommends to pass. At this point —

- a bill has its third reading.
- amendments to the bill must have the unanimous consent of the entire body.
- legislators vote on it for the final time.

By committee recommendation, non-controversial bills can by-pass General Orders and go directly onto a "Consent Calendar," usually passing without delay. Every bill requires a majority vote of the full membership of the House and Senate to pass.

Conference Committee

When the House and the Senate both pass the same version of a bill, that bill goes to the governor for his approval or disapproval. If the House and Senate do not agree, a conference committee of three to five senators, and an equal number of representatives, meets to reach an agreement.

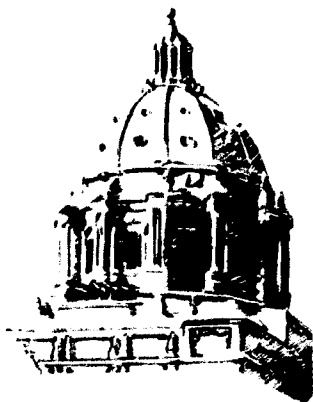
If both bodies then pass the bill in compromise form, it goes to the governor.

Governor

When a bill arrives at the governor's office, he may —

- sign it, and the bill becomes law.
- veto it (return it, with a "veto message," stating his objections) to the body where it originated.
- pocket veto the bill (after final adjournment of the legislature).
- exercise his right to line veto portions of appropriations bills.

If he does not sign or veto a bill within three days after receiving it, while the legislature is in session, the bill becomes law.



"What is the most effective way to contact my legislator?" people ask.

Darrel Peterson (IR-Fairmont) answers.

1. When you write, address your legislator as follows:

The Honorable . . .
Minnesota House of Representatives (Minnesota State Senate)
State Capitol
St. Paul, MN 55155
Dear Representative (Senator) . . .

2. Keep your letter to one page. Use personal or business stationery, or a plain sheet of paper. Write or type clearly. Sign your name with your complete address and zip code.

3. One issue or one bill. Write about as many issues as you want, but write a separate letter for each one.

***4. Include the House or Senate File number** of the bill you're writing about. Begin your letter as follows: I hope you will support (oppose) . . . This bill . . . (Give your reasons for supporting or opposing the measure.) **Get right to the point.** State clearly why you think the bill — if it becomes law — will help or hurt you, your children, your business, or your community. Say what the bill means to you.

Be reasonable. Lawmakers can't please everyone. They may disagree with you. Try to respect their views as they respect yours.

Be polite. Don't lose your temper, even on paper. Tell your legislator what you think and why. Lay it on the line. But be polite.

Use your own words. Don't use form letters or prepared postcards.

5. To meet your legislator. It's best to make an appointment. If you don't know his/her phone number, call (612) 296-6013 and ask the Capitol operator to connect you.

Check your local paper. Most legislators submit a regular weekly column to their area newspapers. It probably includes the address and phone number where you can reach him/her.

6. Leave your name and number if your legislator is not in when you call. Try to keep in mind how many meetings and hearings your legislator must attend. He/she will call you back as soon as possible.

7. Invite your legislator to meet with you and other people interested in various problems. Let him/her get to know you and become informed on your concerns.

8. Ask for information. Government can provide a wealth of resource matter. Your legislator is always happy to help get you this.

* If you don't know the House or Senate File number of a bill, call the House Index Office. They can help you. The number: (612) 296-6646.

a bill
for an act



HF1022 (Nelson, Novak, Lehto, Laidig, Kaley)
relating to juveniles, providing for a hearing to
determine detrimental relationships involving
children; providing for a penalty for those engag-
ing children in detrimental relationships . . .

The House passed HF1022 on February
21, 1978.

Rep. Ken Nelson, chief author: "The
bill is called "the detrimental relations
bill." It would provide juvenile courts
with a method for keeping pimps away
from juvenile girls through a court or-
der.

review

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as it happened

Bills supporting handicapped win committee support

Two bills relating to the handicapped won approval of the House Governmental Operations committee on Feb. 1. One proposal would give the council for the handicapped added authority in providing legal assistance and would set guidelines for the use of the international symbol for the handicapped.

Rep. John Brandl (DFL-Mpls.), author of HF1522, said Minnesota recognizes the blue and white symbol displaying a wheelchair, and that no building should display it unless the building and grounds accommodate the handicapped.

Brandl said the handicapped have a low average income and need the state's help in legal matters. The bill would call for protection of the rights of the handicapped to an accessible environment and to services that public and private agencies provide.

The second bill, HF1736 (Berkelman, DFL-Duluth), would require state owned, rented, and leased buildings, and state agency meetings to meet accessibility standards for the handicapped.

"It works this way: If a girl is before the juvenile court on charges, any parent, teacher, friend, probation officer, or police officer can state that the child is involved with another person in a relationship detrimental to her health and welfare.

"The court can decide to require that person to come before the court for a hearing to determine if the relationship with the child is detrimental. If it makes that determination, the court can ask the person to cease and desist from communicating, associating, or in any way, socializing with her for an indefinite period of time. If the person continues to see her, or is seen with her, the police can pick the individual up for violation of a court order on a misdemeanor offense.

"The problem has been that you have to prove contributing to the delinquency of a minor. You have to first prove the girl's delinquency before you could attempt to prove his (the pimp's) offense.

"But the process in this bill is really simple, and I'm really excited about the bill; because there's nothing on the law books now that provides a remedy. That's why I think it might truly be employed by the courts."

Rep. John Kaley, co-author: "I'm on the Juvenile Justice subcommittee, and we discussed and worked on this problem of juvenile prostitution. So, I wanted to be an author on Ken Nelson's detrimental relations bill; because I really believe in the bill.

"One major difficulty in dealing with the problem is in finding a way to keep the young girl away from the pimp. Once she's into that kind of lifestyle, chances are she has nowire to turn if she wants to leave.



Rep. John R. Kaley (IR-Rochester)

"Quite often she has no friends outside the business (if you can call it that), and her family may not agree to having her back. If she leaves and is just wandering the streets, the child begins to think the only haven she has is back with that pimp.

"The bill offers a way to possibly get the pimp out of circulation.

"A major problem in charging a pimp is that it is almost impossible to prove he has committed a crime. He doesn't go into the street himself to solicit. It's hard to prove he gets any money from the operation, although we know he does. There are certainly no cash receipts.

"The pimp can just stand there and say, 'What did I do?' We can't get at him legally. With this bill we have a

"With this bill we have a chance to legally stop the pimp from association with children."

Kaley

Rep. Ken Nelson (DFL-Minneapolis)



chance to legally stop the pimp from association with children. If he doesn't, he can possibly face charges of violating a court order, be fined, and/or be put in the workhouse for up to 90 days."

Bill proposes constitutional amendment to deal with parimutuel betting issue

Rep. Robert Jensen (DFL-Farmington) is sponsor of HF1758, a bill which proposes that voters clarify by constitutional amendment whether or not the legislature should decide the parimutuel betting issue for Minnesota.

A subcommittee of the House General Legislation and Veterans Affairs Committee recommended passage of the bill which would set this question before Minnesota voters in November.

The bill went to the full committee for consideration.

House/Senate committee sets session deadlines

The Joint Legislative Coordinating Committee, on January 25, set deadlines, aiming at adjournment of the 1978 legislative session by March 18. The dates are:

March 3: for committee action in the House on bills originating in the House and in the Senate on bills originating in the Senate.

March 10: for House bill to be out of Senate committees, and Senate bills to be out of House committees.

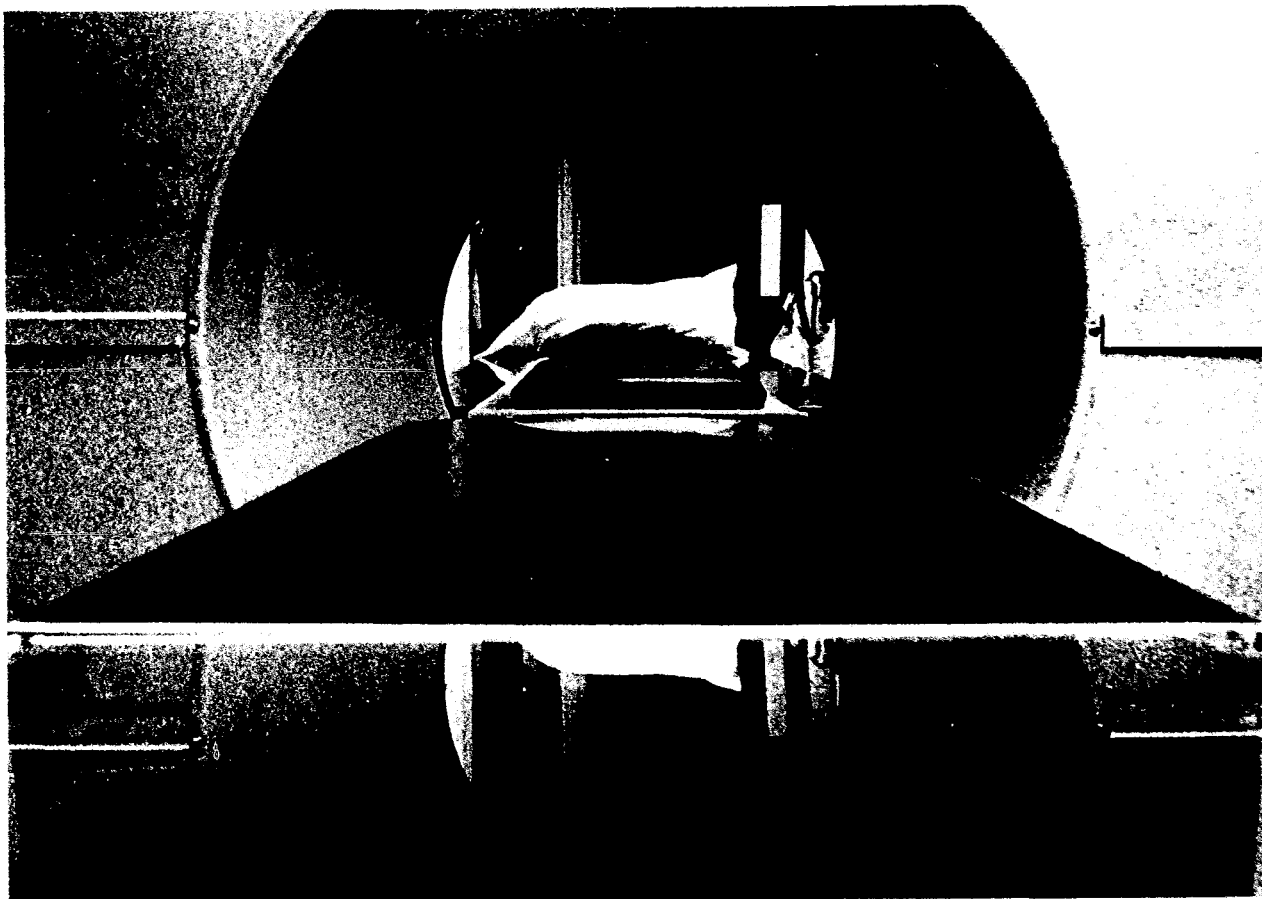
March 14: for conference committees on major appropriations bills to report final versions of bills to both Houses.

March 15: the House and Senate can act only on conference committee reports, rules committee reports, inter-house messages, and messages from the governor after this date.

a bill for an act

HF1824 (L. Carlson, Swanson, Berglin, Samuelson, Langseth) relating to health; providing for review of certain health care planning; requiring certificates of need for construction or modifications of certain health care facilities and services; amending Minnesota Statutes 1976 . . .

Rep. Lyndon Carlson, chief author: "Certificate of need is an attempt to hold the line on health care costs. It is important to know that the certificate of need law first passed in 1971. What we are working on is a series of amendments to that 1971 law.



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Author explains education bill

The House Education Committee heard HF1449, the Demonstration Educational Grant Act of 1977. Its author, Rep. James Pehler (DFL-St. Cloud), said the bill would set up an experimental education grant system, giving parents in six pilot school districts monies to send their children to the school of their choice.

The bill involves no state funds, according to Pehler. Funding for the experimental five-year program would come from federal agencies or private foundations.

Districts would participate on a voluntary

basis on the vote of the local school board or a districtwide referendum. The commissioner of education would select the six participating districts.

Participating districts would continue to receive the same state aid and local levies as they otherwise would for pupils in the program. Parents of elementary school children in participating districts would get grant certificates to send their children to the school of their choice, public or private.



Rep. Lyndon Carlson (DFL-Brooklyn Center)

"There are really two parts to the bill. First, we're working on coming into line with federal guidelines; second, there are other amendments we'd like to see in order to get a handle on health costs.

"The 1971 law states that purchases over \$100,000 require certificates. This bill would raise that to purchases of over \$150,000. We're working on ways to provide for speeding up the process so requests can be reviewed and decided on more quickly.

"Throughout the country, and in Minnesota, we have an excess of hospital beds. Rather than continuing to build more, the local health planning agency and the commissioner of health should look at proposals before authorizing expenditures.

"The basic idea behind certificate of need is that hospital, nursing home, and other health care provider facilities' expenditures shouldn't occur unless there is a need and proof that new equipment and construction will be fully used by the area it serves.

"There was a provision, now amended out of the bill, that would have required physicians and clinics to apply for certificate of need for equipment purchases (not construction) over \$150,000. Although it is no longer a part of the bill, it is an issue that will come up again as we discuss certificate of need.

"The bill has a long way to go yet, and a lot of people feel there's a loophole in the bill if doctors and clinics are not included.

"For example, Minnesota has 26 CT scanners, very sophisticated x-ray equipment, costing around \$500,000 to \$600,000. Most studies show we need about 4-6 in the state. This indicates that the number we do have are not being fully used. The cost of expensive equipment has to be made up somewhere."

"Certificate of need is an attempt to hold the line on health care costs."

L. CARLSON

Rep. Linda Berglin, co-author: "There is a need for a better planning process in the location of health care facilities where large expenditures are concerned.

"We need better planning to help control the cost of health care as well as better planning to appropriately distribute and locate facilities.

"Providing for better methods where resources, such as very expensive machinery, would be shared for optimum use is a concept involved in certificate of need."



Rep. Linda Berglin (DFL-Mpls.)

Grain weighers may get reinstatement

A bill which would reinstate five former state grain weighers won committee recommendation. Rep. Willard Munger (DFL-Duluth) is the author.

Munger said the federal government took over grain weighing duties for awhile, but these duties have again become a state function. This bill would allow the state to rehire former employees.

Hearings on abortion issue begin

The Health and Welfare subcommittee on Health Care heard testimony from both sides of the abortion issue, Thursday morning, Feb. 2, on a bill that would restrict public funds for abortion.

Discussion centered around whether or not a legislative decision denying public funds for abortion would reflect separation of church and state since certain religious groups that condemn abortion have been the bill's major proponents.

Some claimed the bill is not a church and state issue, but a question of denying an

abortion to women, poor women in particular.

Pro-free-choice groups and pro-life groups shared the podium in the hearing room and brought up such questions as whether or not abortion should be available to welfare recipients who are rape and incest victims, who are extremely young girls, and in cases where pregnancy threatens the mother's life or health.

a bill for an act



HF1823 (L. Carlson, Swanson, Berglin, Zubay, Langseth) relating to public health; requiring immunizations for students; amending Minnesota Statutes 1976 . . .

Rep. Lyndon Carlson, chief author: "Those illnesses covered in this amendment to current Minnesota law are diphtheria, tetanus, pertussis (whooping cough), polio, and mumps. The Minnesota State Health Department requested introduction of this legislation and is supporting it."

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Committee recommends bill that would change automobile accident claims' process

A bill attempting to improve the process of settling automobile accident claims got the approval of the Commerce and Economic Development Committee on Feb. 2. Chief Author Wayne Simoneau (DFL-Fridley) said legislation would help solve some of the problems auto owners have with their own, or with other insurance companies, when trying to settle accident claims.

According to Simoneau, the bill would: require licensing of staff appraisers for insurance companies; would prohibit insurance companies from using lists of preferred repair shops or from requiring

motorists to use "drive-in" claim centers; would require prompt acknowledgement of claims; and would require the commissioner of insurance to prepare and distribute a motorists bill of rights bulletin and complaint form.

Simoneau said studies have shown that one person in five has problems with his/her insurance company, while one in two has problems when dealing with another company. The committee sent the bill to the Financial Institution and Insurance Committee for further study and debate.

Rep. Kenneth Zubay, co-author:

"What initially brought the subject to my attention were the cases we've had of polio in the state. A few weeks ago, the *Rochester Post Bulletin* had an article concerning three cases of German measles reported in Mankato.

"Now, they're immunizing all the fifth and sixth graders to prevent a widespread outbreak. Coincidentally, the same issue of the paper had an article about this bill.

"It's possible, that if they had this program, they wouldn't have the problem they have now. It seems ironic that we don't fully use capabilities we have for preventive medicine.

"I certainly like preventive medicine better than trying to cure a problem after it occurs. For the person who hasn't been protected and gets polio, the damage is done. For them, having the ability to prevent it doesn't mean a thing.

"If we can conceivably prevent such tragedy, we ought to try our best to do so.

"Of course, there will still be religious and medical exemptions. But those situations involve a conscious decision to not participate. That's not the problem.

"The problem is the parent who simply doesn't take advantage of readily available preventive medicine. Health centers will give the shots without cost. So that's not a problem.

"I think it should be brought to parents' attention. Children should be protected and entrance into the school system is the obvious place to catch them."



Rep. Kenneth Zubay (IR-Rochester)

Rep. Keith Langseth, co-author: "The percentage of kids coming into school fully immunized is dropping. People just don't think about polio anymore, or about the number of other diseases mentioned in this bill.

"I suppose it's human nature to think things are okay as long as you don't hear about the diseases.

"This bill would require compulsory immunization of children before they come into the school system. It prevents the situation from deteriorating as it is now. It's just good preventive medicine."

HF1823 would require prior to initial enrollment in any school in this state, every child shall submit to the principal, or other person having general control and supervision of the school, statements that the child has received immunizations against certain diseases, which would include diphtheria, tetanus, pertussis (whooping cough), polio, and mumps.



Rep. Keith Langseth (DFL-Glyndon) at right.

"It seems ironic that we don't fully use capabilities we have for preventive medicine."

Zubay

Incoming WATS line bill goes to Appropriations Committee

The Governmental Operations Committee recommended passage and re-referred to the Appropriations Committee a bill which would establish a statewide incoming WATS line.

Rep. David Cummiskey (DFL-Mankato), author, said the WATS line would enable everyone in the state to call one central toll free number.

He said half the people in the state live in the metropolitan area and can call state agencies free of charge. This bill would give the other half of the state's citizens the same access to government.

House progresses bills to specific dates

The House began the 1978 session on January 17, dedicating the opening to the memory of the late Hubert H. Humphrey. On January 19, at a working session, the House progressed several bills on the General Orders agenda to specific future dates.

The House set February 6 as the date to consider HF13, a bill which would require beverage containers to have certain refund values. Rep. Ken Nelson (DFL-Mpls.) is the author; February 15, to take up HF788 (Arnold Kempe-DFL-West St. Paul), a bill that would provide fire insurance premium reductions to consumers who install smoke

or fire detectors in their homes or businesses.

The House also progressed a measure to create local government pooled investment funds and a bill relating to definitions and exemptions in the sales tax.

a bill for an act



Rep. James Pehler, chief author: "The bill is called the "University Small Business Development Center" legislation. Its primary function is to establish a program to counsel and inform small business. There is a model of this program existing and working right now at St. Cloud University. Various parts of the program also exist at the College of St. Thomas, the University of Minnesota Duluth, and Southwest State.

"In the concept of economic development there are about 18 different functions that could or would exist.

"One function is a counseling service. Seniors and graduate students in business would be used as information resources for small businesses. These university consultants could examine and analyze problems, such as cash flow, inventory control, accounting, location, expansion, or marketing, and make recommendations.

"Depending on the nature of the business problem, they may recommend additional training or instruction, for example, business management lectures, accounting courses, seminars.

"Another important function would be to set up a computer database that the business could tie into to obtain consumer research and economic data to help in making business judgments.

"The research information needs to be set up to be useful to the small business. The person needs to know the factors that affect his/her particular business.

"For example, in a given product line or service, how much does the average person spend? What percentage of the population in the area are potential consumers of the business's product? How many people who are potential consumers come in from outside the area? Would it help to locate in a dif-

HF1849 (Pehler, Patton, H. Sieben, Faricy, Heinritz) relating to commerce, establishing a small business consortium, creating an advisory task force on small business development programs, appropriating money

review

... background action as it happened

Agriculture bill calls for expansion of marketing.

HF 1807 (McDonald, IR-Watertown) is a bill the Agriculture Committee is studying. It would expand the duties of the marketing division of the Minnesota Department of Agriculture to include promotional activities such as advertising; assistance of state agricultural research and promotion council; exploring ways of increasing production and agricultural

marketing; encouraging new marketing technology.

The bill would provide \$200,000 to the marketing division of the Minnesota Department of Agriculture for these activities. The allocation would cover the division until June 30, 1979.



ferent community, or to add a new product line?

"This kind of economic data is not available. But the majority of information to draw up that data is available in various departments and agencies in Minnesota. The idea is to put that information together.

"The data could be in a computer bank to be used, compiled, calculated, and accessed by various means of computer programing. A person in Duluth could find out about southwestern Minnesota by tuning into this computer base, without ever leaving Duluth.

"This is something that can be bought, but is not bought by small businesses because of the expense. For this reason, the program doesn't compete with other business counseling services. Small businesses are not generally customers of consulting agencies."

Rep. Lon Heintz, co-author: "Everybody always thinks about the 3Ms and Honeywells, but the truth is that 50 percent of the people working in this state, work in small businesses — that is businesses with 25 employees or less. So, each separate business can do little to gather the type of information they should have for planning and budgeting.

"Take demography, the statistical study of population density, distribution and population shifts, as an example. Some statistics say that southern Minnesota is losing population and northern Minnesota is gaining. This can have a dramatic effect on your small business.

"If there are going to be 30 less homes, or 60 less cars, in your area, where you own your own small business, you better not plan to expand to fill a need that soon may not exist. You may not find the people to hire, or the people to buy your product.

"But who ever heard of a planning department in a filling and repair sta-

tion? Somebody has to gather and disseminate this information to them.

"This development center would do for small business what big businesses have their own big planning departments doing for them."



Rep. Lon Heintz (R-Plymouth)



Rep. James Pehler (DFL-St. Cloud)

Governor signs Senate seat vacancy bill

Minnesotans will vote to fill a U.S. Senate seat vacancy in November of the year the vacancy occurs now that Governor Rudy Perpich has signed the bill the House and Senate passed in January.

The bill, as both bodies passed it, provides that the Senate vacancies Senators Wendell Anderson and Muriel Humphrey presently fill will be before the voters this November.

Arson, fire-safety bill comes

under Criminal Justice Committee study

Rep. Steven Novak (DFL-New Brighton) introduced HF1590, which awaits study by the Criminal Justice Committee in the House. The bill would attempt to insure that trained fire investigators explore all suspected arsons; insure that trained criminal investigators explore all confirmed cases of arson; increase the clearance rate of confirmed arsons; and mandate swift and sure prosecution of arsonists.

The bill would clarify the application of and enforcement responsibilities under the Minnesota State Fire Code; establish a fire training center that would provide local communities with code compliance investigation, and would adjust the responsibilities and staff of the fire marshall.

a bill for an act



Rep. Michael Sieben (DFL-Newport)

Rep. Mike Sieben, chief author: "The purpose of the bill is to require the Minnesota Pollution Control Agency (MPCA) to complete its statewide hazardous waste management plan before a site is selected or any building is done. This is what we mandated the PCA to do back in 1974.

"Let's do things in the right order, wait until the Metropolitan Council completes its solid and hazardous waste comprehension plan, and the PCA adopts hazardous waste regulations and a statewide hazardous waste management plan, before constructing a facility in the metropolitan area.

"The project under consideration is funded with federal money: \$3.7 from the EPA and \$1.2 million from the Metropolitan Waste Control Commission. The purpose of the project is to demonstrate the technology of hazardous waste disposal, and to

demonstrate the organization and financing of such a facility.

"It's the only such project in the nation. The facility is to take care of a portion of the 100,000 tons of hazardous materials, such as caustics, cyanides, acids, heavy metal sludges, and paint sludges, produced annually in Minnesota.

"I believe the basic policy questions are: How many sites should we have? Are there better ways to recycle the waste rather than use the ground as a sewer? What are the legal liabilities of construction of such a site? Are there ways to reduce the level of hazardous wastes that have not been fully examined?

"Those policy questions should be appropriately dealt with before they select a specific site and build a disposal facility."

HF1798 (M. Sieben, Searles, McDonald, H. Sieben, Ewald) relating to hazardous wastes; placing certain restrictions on site selection for disposal facilities in the metropolitan area; amending Minnesota Statutes 1976 . . .

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Committee action supports Humphrey-Hawkins resolution

House Labor-Management Relations Committee members voiced no opposition as they recommended a resolution memorializing the President and Congress to pass the Humphrey-Hawkins full employment bill.

Chairman of the Committee, Rep. Stanley Enebo (DFL-Mpls.), said the Humphrey-Hawkins bill would provide a structure for employment of all adult Americans desiring work.

The full House approved the resolution on Monday, Feb. 13.

Energy bill aims at providing customer incentive

"We must prepare for the time when traditional energy resources are no longer easily available. Minnesota must push toward progressive legislation that touches the consumers where they'll feel it the most — the pocketbook," Rep. Mary Forsythe, (R-Edina) said.

Forsythe is the author of HF46, a bill that would exempt solar energy equipment from property taxes. Two other energy proposals are Rep. Dave Fjoslien's (R-Brandon) House Advisory bill, an idea for the use of grain in the production of gasohol as a source of auto fuel; and Rep. Kenneth McDonald's (R-Watertown) HF 1887, a bill that would create an energy conversion board.

Rep. Douglas Ewald, co-author "Mike Sieben, as chief author, can explain the bill itself better, but I can certainly give my reasons for going on it as an author.

"As I understand it, if the PCA can get its act together and find the proper location in the seven-county metro area for a site, the feds have made some funds available for a demonstration project for hazardous waste disposal.

"We're told it won't handle all the waste generated and that in ten years it will be filled. The MPCA advisory committee has come up with a few sites they feel are ideal.

"Strangely enough, both these sites are located practically adjacent to major rivers.

"The question, to me, is, "Do the people want something that could be a potential hazard in the middle of their city?"

"What would become of what could eventually be prime residential area? What will happen to such areas with a hazardous waste disposal plant in it? When the government drops something like that in your city, who will pay the difference in taxation you won't be receiving?

"These are a few of my concerns and my reason for being put on as an author on Mike's bill. . . . We have to remember that after all, the reason they call it hazardous waste is because it is hazardous to people. . . . A chance at federal money comes second to the consideration of something that could affect our very lives, or at least our quality of life."



Rep. Douglas Ewald (IR-Minnetonka)

HF944 (Scheid, Abeln, Searles, Hokanson, Osthoff) relating to taxation: providing that improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota Statutes 1976 . . .

Rep. Linda Scheid, chief author: "I hope this bill, involving improvements in homes older than five years, will give incentive to people to make home improvements. I think some home owners avoid making some improvements because their tax would soon be raised as a result.

"For example, when a home owner puts in insulation, or a new roof, or triple pane windows — all in the name of good energy conservation — we let the assessors come out and raise their property tax.

Rep. Linda Scheid (DFL-Brooklyn Park)



"These kinds of improvements should be encouraged, not discouraged. The increased tax assessment would be picked up eventually, because, of course, people move. When the house is sold, it would be taxed at the value resulting from improvements.

"The idea, I think, is very popular with legislators. It may take some time to work on the bill, and perhaps, it should include a study of property tax in general. Perhaps we can make some improvement.

"We may want to really zero in on the kinds of home improvements I'm trying to assist. We aren't interested in aiding fancy type or luxury apartments, but those that aid in general upkeep and energy conservation."

Commerce and Economic Development Committee gets legislation on charge accounts; interest rates

Rep. Howard Neisen (DFL-Mounds View) has introduced HF1013, relating to realignment of interest rates and policies on open and closed-end charge accounts which the Commerce and Economic Development Committee will be considering.

Provisions in the bill include allowing the seller an additional finance charge of up to \$15 per year; prohibiting placing interest charges on a purchase before the customer has had at least one billing; requiring adjustment charges the day customers return items or pay their bills; setting an 18 percent annual limit on installment purchases.

The Senate has passed a companion bill, SF1216 (Luther, DFL-Brooklyn Center).

Bill calls for Civil Service procedure change

Rep. Bruce Nelsen (IR-Staples) has introduced HF1777, a bill that would provide for changes in procedures within the Minnesota State Civil Service system.

The bill, according to the author, would require minimum qualifications for all classified and unclassified employees in the executive branch; appraisals of all unclassified positions in the executive branch; establishment of a code of ethics by the ethical practices board with the cooperation of the commissioner of personnel that would provide for the investigation and prosecution of violators of this code; and prohibition of forced involvement in political matters.

Commissioner of finance submits estimated fund balance

Gerald Christenson, commissioner of finance, told the House Tax Committee, at a January 26 meeting, that the projected estimated fund balance for the 1978-79 biennium will be \$162 million by the end of the fiscal year, June 30 of 1979.

Christenson stressed that the numbers could change and told the legislators that a two and one-half to three percent reserve is excellent and that a reserve is necessary.

Rep. William Kelly (DFL-E. Grand Forks), chairman of the committee, asked that the commissioner report back to the committee around the third week in February. He said the committee will need an updated forecast by then to make decisions on "weighty issues before a possible mid-March adjournment."

a bill for an act

H.F. 1744 (Berkelman, Mangan, Brandl, Novak, Byrne) relating to handicapped and disabled persons; requiring installation and use of wheelchair securement devices in vehicles used for transporting wheelchair users; providing for inspection of wheelchair securement devices; requiring other safety measures in vehicles used for transporting wheelchair users; authorizing the admissibility of certain evidence in litigation; providing penalties.



Rep. Thomas Berkelman (DFL-Duluth) at podium and James Barton, St. Paul attorney.

review

... background action as it happened

Proposal for council on the affairs of Spanish-speaking people moves out of committee

The Governmental Operations Committee spent most of their Jan. 25 time slot working on Rep. Arnold Kempe's (DFL-West St. Paul) proposal to create a council on the affairs of Spanish-speaking people in the state. The committee voted to change the name of the entity from a board to a council and recommended the measure for passage.

Kempe said there are 50,000 Spanish-speaking people in Minnesota, making them the state's largest minority. The 50,000 figure does not include seasonal migrant workers, he said.

House passes coop rate regulation exemption bill

Monday, Jan. 30, the House voted 95-28 in favor of a bill which would exclude electric cooperatives from public service commission rate regulation, allowing them to set rates for their customers in the same manner municipal utilities do.

Author of the bill, Rep. Gene Wenstrom (DFL-Elbow Lake), said public service commission regulation is not necessary, because most cooperatives are small, independent, customer-owned, non-profit organizations. Any profit they make goes back to the customers, Wenstrom said.

Wenstrom told legislators that, when a cooperative goes to the public service commission to request a rate increase, the cost of legal assistance absorbs most of any additional revenue they get.

Rep. Thomas Berkelman, chief author:

"What the bill does is mandate certain safety standards for individuals confined to wheelchairs in transportation. It indicates positioning of a wheelchair within a transporting vehicle. It deals with lock down devices for securement of the wheelchair and it prescribes additional safety requirements as pertains to the individual within the wheelchair. Finally, it sets up an inspection operation for these vehicles. Those are the basic areas.

"There have been problems in the state. Some transporting operators move handicapped and disabled people very well and others don't do such a good job of it. Some do a good job of keeping the wheelchair secure and down in place while others let the people roll around the inside of the vans like pin balls.

"We will have a person who does wheelchair repair testify before the Transportation Committee on the cost, the frequency of repair, and that type of information. And the need for repair is frequent enough to warrant this type of legislation.

"I think the chances of the bill's passage are extremely good. I can't imagine anyone voting against the concept that is involved. The concept of requiring safety standards for transporting individuals is spelled out very explicitly throughout the statutes in terms of individual passengers in cars. It is spelled out for transporting children in buses. It's almost in every segment. This just seems to be a very large and noticeable gap where nothing has ever been done."



Rep. David Cummiskey (DFL-Mankato)

HF1727 (Cummiskey) relating to highway traffic regulations; providing for the establishment of metric standards for traffic control devices; amending Minnesota Statutes 1976 . . .

Rep. David Cummiskey, chief author:

"My concern on metrification is that it has been over-complicated to the point where it won't get done. The federal government proposed a changeover program a while ago. They withdrew it because a lot of people reacted very negatively.

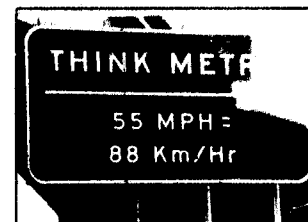
"All this bill does is ask that, when new signs are put up, or signs are replaced in the normal course of maintenance, we simply do them in the metric system, in kilometers instead of miles per hour, for example.

"Speedometers need not be changed. You'd still drive 55 mph, but some new signs, and, then, gradually more signs, would say 88kph.

"Road distance signs would be a bit more complicated, so you wouldn't do

as many of those at first. But it would show the federal government transportation people, and the public, that the metric system need not be complicated — that conversion doesn't have to be an expensive or complicated process.

"It's a simple system, if you just start using it. There would be really no different cost than there is now in replacing old signs with new."



Bill proposes new quarters for state departments

Rep. Orville Birnstihl (DFL-Faribault) introduced a bill which suggests new quarters for the Minnesota Departments of Agriculture, Natural Resources, and the Minnesota Pollution Control agency.

The bill would direct the department of administration to seek possible sites for such a facility.

Birnstihl said the new building would eliminate much of the 2.5 million dollars the state spends leasing space for the agencies. Following a hearing by the Agriculture Committee, the bill went to a Governmental Operations subcommittee for study.

Recreational establishment owners testify on road signs bill

Resort, campground, and motel owners testified before the Transportation Committee, on Feb. 1, in favor of a bill which would allow certain signs along federal primary aid highways.

Owners testifying said the federal highway beautification act has been a hardship on their businesses, because they had to take down signs directing travelers to their establishments which are often several miles off main highways.

This proposal would permit uniform signs of a certain size and shape, giving the name of the establishment, with an arrow pointing the direction and the distance in miles. In addition, owners could place up to four display symbols on the sign.

The Minnesota Department of Transportation would administer the program. Owners would pay an application fee and an annual fee to cover costs.

Rep. Douglas St. Onge (DFL-Bemidji) is sponsor of the bill in the House. The Senate passed the measure last spring.

For final action on legislation see upcoming issues of **SESSION** newsletter or for more information, call (612) 296-2146.

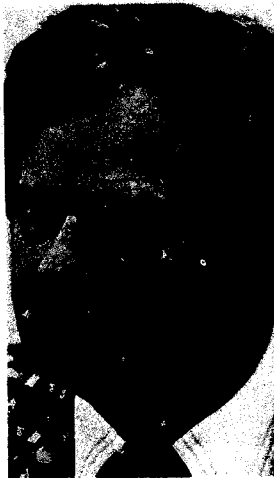


Rep. Bruce Nelsen (IR-Staples)

"My concern is dealing with the state civil service laws. Governmental Operations is hearing the issue with various public employee unions, the personnel board and the legislative audit commission testifying. Many of the changes they proposed are in a bill I introduced.

"Even if that bill as it is doesn't pass, I'm hopeful that some of the suggested changes will be adopted and its purposes accomplished.

"One of the bill's purposes is to require better circulation of job notices to make jobs more available to the general public, especially unclassified positions — those appointed by department heads and the governor."



Rep. Gilbert D. Esau (IR-Mountain Lake)

"We have environmental impact statements. We need impact statements on how legislation affects the home.

"I've introduced a bill proposing an advisory council on the home and family to provide the coordination and effort to study, to represent, and to strengthen the family.

"Both President Carter, in his inaugural speech, and the governor in his speech said the state of American families is of the highest importance.

"We have informed and interested resources to draw on from business, religious groups, the judicial system, and the public sector. We must adopt a creative and constructive approach that welcomes input from all interested groups."



Rep. Leo Adams (DFL-New Hope)

"Three main issues concern me. One is workers' compensation. I don't think we should act too quickly on such a very complex problem. We're still learning about it. We should wait to act until the appointed study commission reports its findings.

"Second is dealing with the tax surplus. If the surplus is as large as indicated, we should return it to the citizens. I'd like to see an increase in dependent credits.

"Third, I'm interested in clarifying the retail credit situation, and I've introduced a bill that addresses that problem."



Rep. Ann Wynia (DFL-St. Paul)

"One of the most difficult issues with a lot of long term implications is the current powerline controversy.

"At this point, I'm not personally sure what is the wisest thing to do. I'm hoping the hearings will provide additional information on the constitutionality and legal implications of a moratorium.

"The issue is a critical one, because it pinpoints the dilemma between demands for energy, environmental cost, and cost to individuals whose land is affected. This is the kind of issue we will be facing more and more in the energy area."

update

LAWS OF MINNESOTA 1978

Bills the House and Senate have passed and the governor has signed.

U.S. Senate seat vacancies Chapter 456 HF1500 (Rice, DFL-Mpls.) provides for elections to fill U.S. Senate vacancies.

Destruction of animals Chapter 457 SF686, HF764 (Kelly, R. DFL-St. Paul) authorizes destruction rather than research use of certain unclaimed animals.

Other legislation the House passed in Jan./Feb.

Full-employment resolution

HF 1791 (Enebo, DFL-Mpls) a resolution which would memorialize the President and Congress to pass the Humphrey-Hawkins full employment bill.

Raccoon hunting

HF1297 (Reding, DFL-Austin) — would increase the fees for non-residents to take raccoons to \$50 in addition to the small game license fee; would allow the commissioner of the department of natural resources to set a limit on the number of raccoons a non-resident can take; would provide for a tagging system for identification of raccoon carcasses.

County government options

HF1795 (McEachern, DFL-St. Michael) would eliminate the provision in the County Option Law requiring counties to hold a referendum in order to hire a county administrator or executive secretary.

Wastewater treatment

HF1661 (Battaglia, DFL-Two Harbors) would provide for publication in the state register, behind-schedule and substandard wastewater treatment projects.

Wheelchair securement devices

HF1744 (Berkelman, DFL-Duluth) would establish safety standards in transportation of individuals in wheelchairs.



Rep. John Rose (IR-Roseville)

"How we address the issue of the tax surplus money is most important. Most legislators I've talked to are committed to refunding the excess surplus. But I think the issue is how we decide it will be done.

"If it is just a matter of dollars turned back, it will be insignificant. Only if the structure is adjusted will what we do have significance.

"With inflation, people make more, and spend more, resulting in more income and sales tax money. The continuing inflationary spiral could make this situation occur again. We are really going to have to adjust the structure to solve this problem of inflation bringing in more money than anticipated."



Rep. Thomas Mangan (DFL-Anoka)

"I have two major concerns. One related to mental health, one to juveniles. I have introduced a bill that would require counties and the state to develop a coordinated plan to deal with the problem of mental illness. We have found there is no such plan.

"Another bill I introduced would allow a police officer to take into protective detention any juvenile he reasonably suspects is in danger, or in a situation that would lead to delinquency.

"Rather than charging delinquency, the officer can choose what we call protective detention for a dependent child who needs help. Under these circumstances the child would be taken to shelter homes not to a juvenile secure facility."



Rep. Mary Murphy (DFL-Hermantown)

"I'm sure the tax surplus issue will be of major importance, but right now, we need more information to talk about.

"There are a number of bills going through my committees that interest me. We're in the process of gathering information and holding hearings on small business legislation in the Commerce Committee and lifting the mandatory retirement in the committee on labor-management relations.

"I think two bills in the Commerce Committee will be recommended, after some refinement. They concern renaming and reordering the department of economic development and setting up a business consortium."



Rep. Jim White (DFL-Farmington)

"The bill I've got to reorganize the department of economic development is most important to me. It's a good bill; good for business.

"First, it would rename the department. Its purpose is to make the department more responsible, more receptive, and more responsive to small businesses in the state.

"The department needs to be receptive to ideas that aid the retention and promotion of small business and tourism. It's a simple bill that says a lot."



Rep. Ellsworth Smogard (DFL-Madison)

"In all this talk of a tax reduction, I'd first like to see the sales tax on heating fuel removed. We don't tax groceries, but in this climate, heat is as important as food. It would help those on a fixed income, senior citizens. Next, I'd like to see some relief for people at the lower income ranges — perhaps raise exemption credits.

"I'm also interested in legislation to help small businesses. There are a number of bills in the Commerce and Economic Development Committee I serve on that I think will be a help to them."

Reports of liability insurance

HF1001 (Berkelman, DFL-Duluth) would require the driver of any vehicle in an accident to provide the name and address of his/her liability insurance coverage company and local insurance agent at the time of the accident or within 72 hours to any other party in the accident.

Statutory corrections — trunk highways

HF1879 (Lemke, DFL-Lake City) would make deletions and corrections in the statutes relating to the trunk highway system.

St. Cloud — detached facilities

HF1812 (Pehler, DFL-St. Cloud) would allow a local St. Cloud bank to exempt

their drive-in banking facility from consideration as a detached facility under the detached facility law.

Leota — detached banking facilities

HF1813 (Anderson, B., DFL-Slater) would allow the town of Leota to be included under the Detached Banking Facilities Law.

County law libraries

HF1665 (Kaley, IR-Rochester) would increase contributions from district court to law libraries.

Cooperative electric associations

HF830 (Wenstrom, DFL-Elbow Lake) — would exempt cooperative electric associations from the rate-setting oversight of the Public Service Commission (PSC).

Tour boat on-sale liquor licenses

HF1424 (Jaros, DFL-Duluth) would allow a seasonal on-sale liquor license to docked tour boats that regularly sell meals.

Fish refuge

HF1394 (Schulz, DFL-Goodhue) would direct the governor and the commission: of natural resources to continue efforts to enter into certain agreement with the State of Wisconsin to maximize the fishery potential of certain boundary waters.

Owatonna—acquisition of land

HF1761 (Biersdorf, DFL-Owatonna) — would authorize the sale of certain state lands to the city of Owatonna.

WRITE A BILL

ESSAY CONTEST FOR ALL JUNIOR HIGH STUDENTS

(7, 8 & 9)

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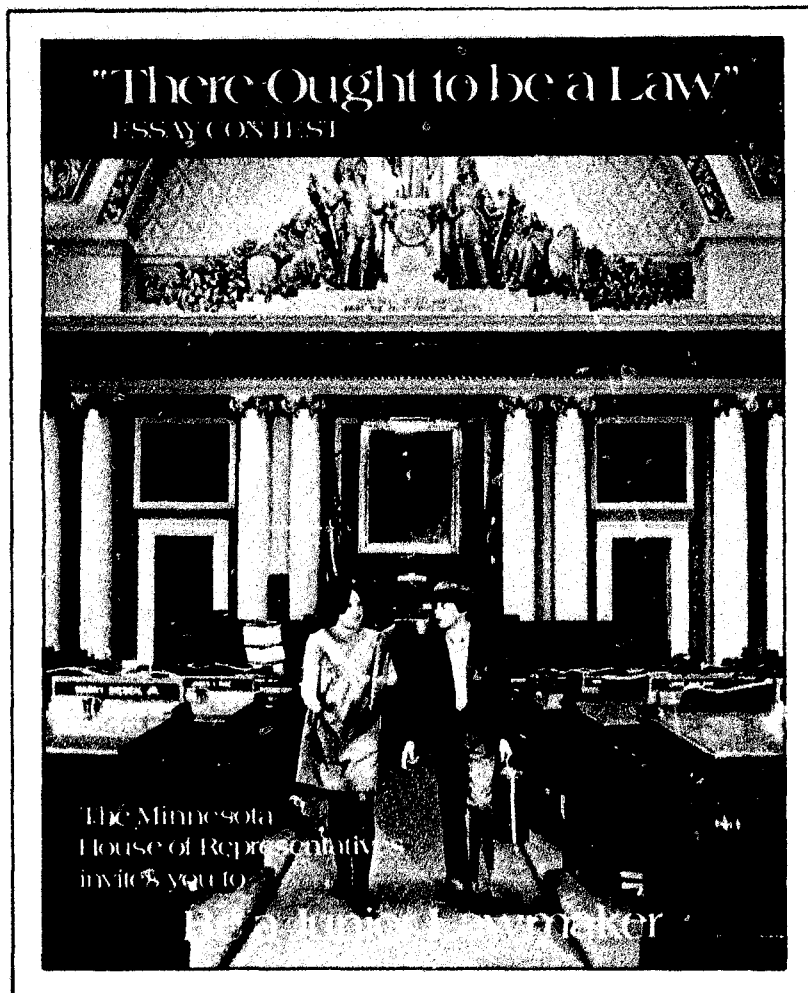
To enter, write your idea for a bill. In 100 words or less, explain your idea, and tell why you think it ought to be a law.

To get a complete copy of the rules, fill out the form on the back page of this issue of **SESSION** and send it to us.

There will be 134 winners, one from each district who will attend the special awards ceremony in May at the State Capitol. Speaker of the House Martin Olav Sabo will preside and present the awards.

The 134 winners will be junior lawmakers in a mock session of the Minnesota House of Representatives. They will sit with their state representatives in the House Chamber, debate and vote on the top six winning 'bills' — an opportunity to see how a bill becomes a law.

The contest ends April 15, so enter now. Write for your copy of the rules today.



update

Ramsey County Board — setting per diem expenses

HF935 (Tomlinson, DFL-St. Paul) — would allow Ramsey County to pay per diem for the expenses of members of citizen advisory boards.

St. Louis County — tax search certificate fees

HF1065 (Fugina, DFL-Virginia) — would increase the fees St. Louis County collects for tax search certificates from \$1 to \$2.

Cartways in unorganized territories

HF1604 (Fugina, DFL-Virginia) — would authorize the county board of commissioners to act as the township board to establish cartways in unorganized territories.

Funds for Milwaukee Road

HF1930 (Osthoff, DFL-St. Paul) — a resolution urging the President, Congress, and the secretary of transportation to provide necessary grants and loans to the Milwaukee Road.

Electronic funds transfer

HF1180 (Hanson, DFL-St. Paul) — new legislation allowing the use of electronic fund transfer systems (EFTS). The bill would allow any person to establish and maintain the EFTS, either manned, point-of-sale terminals or unmanned automated-teller machines at retail locations. Under the bill, customers would be able to withdraw cash, make deposits and transfer funds, disburse loans against a pre-established credit line, make loan payments, but could not open accounts or take out loans using the terminals.

Review of state contracts

HF1103 (Reding, DFL-Austin) — a department of administration bill, dealing with the department's contract management and review process.

Licensing and bonding plumbers

HF1329 (Casserly, DFL-Mpls.) — would allow plumbers and steamfitters to obtain a single bond, license of liability insurance policy to operate anywhere within the state instead of having to become bonded in each municipality in which they operate.

Mechanics liens—notice

HF1578 (Simoneau, DFL-Fridley) — relates to the mechanics lien law; would extend the notice requirement for lien rights from 20 to 45 days; would make contractors who fail to furnish the name of the property owner to subcontractors or material suppliers within 10 days after request liable for any actual damages and expenses, plus reasonable attorney's fees and costs; and, would lower the square footage for the notice requirement from 10,000 to 5,000 square feet.

Savings and loan associations — additional powers

HF1520 (George, DFL-Mahtomedi) — would give state chartered savings and loan associations the same powers as state chartered commercial banks have in maintaining IRA and Keogh accounts.

Professional corporations for architects, engineers and surveyors

HF1442 (Adams, DFL-New Hope) — would grant architects, professional engineers, and land surveyors the authority to establish professional corporations.

Almanac

Minnesota
a bit of
history

In 1876, a fight over a Senate seat removed an influential member from the United States Senate and sent a young governor back to his law practice. It was during the administration of Governor Cushman K. Davis. Alexander Ramsey, who had been second governor of Minnesota, was serving as United States senator.

Upon election to his second term in the senate, Ramsey had said he would not run a third time. But, with strong support of public sentiment, he changed his mind. He became an active candidate to succeed himself.

Basing his action on Ramsey's earlier decision not to run, Governor Cushman boldly stepped forward as a senatorial candidate, fanning the flames of an already growing bitterness in the Republican party. Minnesota was a Republican state, but 1875 was an independent year in electing United States senators in other states. The minority was hopeful.

Sixty-four members of the legislature were not members of the Republican party, nor were they Democratic party faithful, but followers of grangerism, independent Democrats, and Greenbackers**. In this political climate, the legislature met on January 19 to elect a United States senator.*

Balloting began with three leading candidates, well-known in Minnesota history — Ramsey, Washburn, and Davis. Through January, a total of eight candidates moved in and out of the race. Democrats couldn't draw any Republican votes. Other anti-Republican forces became convinced they couldn't elect a nominee. Supporters of Ramsey, Davis, and Washburn withdrew their candidates.

Amid rumors of deals and bribery, but with no evidence to support them, forces united behind Samuel James Renwick McMillan, chief justice of the Minnesota Supreme Court, a Republican. On February 18, McMillan became duly elected senator from the State of Minnesota, closing the most memorable election for a Senate seat in the history of the state.

Alexander Ramsey returned to private life; Cushman Davis to his law practice. But twelve years later, Davis became United States senator from Minnesota serving from March 4, 1887 to November 27, 1900.

*a united farmer movement **post-Civil War political party advocating federally produced paper money as the only currency

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NEXT MONTH

- The building of Legislation
- The people & the process
- the committee system
- information sources
- more on legislation
plus a bit of history

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"I have one chief priority — a reduction in the state's income tax . . . We expect a substantial surplus at the end of this biennium. I believe any excess funds, beyond a prudent reserve, should be used to reduce taxes," Governor Perpich told a joint session of the legislature on January 24.

He reviewed his open door policy, efforts to eliminate waste and mismanagement in state government; steps state agencies, the legislature, the courts, and he has taken to resolve the powerline issue.

His future proposals and priorities included encouragement of full employment and preservation and strengthening of Minnesota's families.